

Table 2

<p><i>Sansone</i> Letter:*</p> <p>Comparing Application of Proposed Amendment of Regulation 18704.2 &amp; Adoption of Regulation 18707.10</p>	
Current Advice	Under Proposed Language
<p><b>Involvement/Materiality:</b> Direct involvement therefore presumption of materiality</p>	<p><b>Involvement/Materiality:</b> Indirect involvement therefore presumption of non-materiality. Not enough facts are presented in the letter to determine whether this presumption may be rebutted.</p>
<p><b>“Public Generally” Exception:</b> Exception does not apply since “substantially the same manner” prong not met</p>	<p><b>“Public Generally” Exception:</b> In this instance, whether the exception applies depends on whether the general plan amendment decision only identifies planning objectives. If the rezoning component of the decision is specific and will implement changes, then the exception will not apply. On the other hand, if the decision was merely to increase development densities in urban areas and lower densities in rural areas without specifying particular action, the exception would appear to apply. Note that no weight is given to whether an official will experience a financial effect of the decision which is relatively great.</p>

\*In the *Sansone* Advice Letter, No. I-03-058, the general plan decision was whether to approve a land use map which proposed to either upzone or downzone the permissible densities of numerous properties in the county. Commission staff advised that because the decision proposed to change the density designations of the officials’ property, the property was directly involved and it was presumed that the decision would have a material financial effect. Furthermore, it was unlikely that the officials who owned significant acreage (one official owned 90 acres and the other owned more than 34 acres) would be affected in substantially the same manner as other members of the public with respect to the general plan amendment decision.

# ATTACHMENT 3